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C O N F I D E N T I A L SECTION 01 OF 02 MONROVIA 001049

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TAGS: [PGOV](#) [PREL](#) [EAID](#) [LI](#)  
SUBJECT: LIBERIA: LEGISLATORS DIVIDED OVER SETTING  
THRESHOLD FOR LEGISLATIVE DISTRICTS

REF: A. MONROVIA 826  
[1](#)B. MONROVIA 970

Classified By: Ambassador Thomas-Greenfield reasons 1.4 B and D.

[1](#)1. (C) SUMMARY: The International Contact Group on Liberia (ICGL) engaged the House and Senate leadership December 18 to press them to pass the legislation needed for preparations for the 2011 elections to begin (reftels). The Legislators were divided over how to choose a threshold population and appeared confused over the National Elections Commission's (NEC) constitutionally mandated role in the redistricting process. Representatives from less-populated counties were concerned over the prospect of losing seats and worried over how to explain that to their constituents. All agreed that more debate and public outreach is needed on the issue and that it would take time. If a threshold population is not finalized by mid-2009, the timing of the 2011 election may be an issue. The prospects of holding a separate constitutional referendum before the standard election are already looking dim. END SUMMARY.

RURAL REPS DON'T WANT TO PRESIDE OVER THEIR OWN FUNERAL

[1](#)2. (SBU) The ICGL met with seven Legislators representing the leadership of both houses December 18 in an effort to reinforce the importance of setting the threshold population a district needs to merit a representative in the House following this year's census. Two of the Legislators, including House Speaker Alex Tyler, who represent counties that will definitely lose seats (three others represent counties that risk losing seats) told the ICGL they were worried about how they might explain that to their constituents. "You're asking us to preside over our own funeral," Tyler said. Tyler said he hoped the House could arrive at a compromise so that no one would lose seats. (NOTE: This is not possible mathematically without amending the constitution, which would require a referendum. END NOTE.) Tyler promised to bring the threshold issue on the floor in plenary and hold public hearings on the topic, but cautioned that finalizing the number would take time. He said the NEC was unrealistic to think that such a sensitive bill could be passed so quickly.

UNCLEAR ABOUT ROLE OF LEGISLATURE AND NEC

[1](#)3. (C) Senate President Pro Tempore Isaac Nyenabo was confused about the various pieces of legislation and the constitutional mandates of NEC related to elections. He said he did not know if the 100 seat limitation was just for the House or if it included the Senate too. (NOTE: Constitutionally, it is just for the House.) He also expressed concern that the NEC would be responsible for the actual redistricting exercise, saying that a delicate political task such as that should be the responsibility of elected officials alone. (NOTE: Article 80(e) of the Liberian Constitution clearly gives NEC that authority. END NOTE.)

CLEAR FINANCIAL CONSTRAINTS

¶4. (SBU) Senator Jewel Howard Taylor, Chairman of the Senate Committee on Elections, raised the financial implications adding new seats in the House. There is no additional office space inside the newly-renovated Capitol and no money left in the budget to support even one additional member. (NOTE: President Sirleaf told Ambassador later that day that she would refuse to sign any legislation increasing the size of the House because of the increased cost involved. END NOTE.)

Taylor acknowledged that it was easier for the Senate to consider costs as each county will always be assured of its two seats, but asked the House to be realistic in its assessment of how much growth is possible at this point.

#### POSSIBLE COMPROMISE: REGISTER MIGRANTS IN THEIR HOME COUNTIES

¶5. (SBU) Chairman of the House Committee on Elections Gabriel Smith suggested that one possible compromise would be to register migrants living in Monrovia back in their counties of origin (usually determined by ethnicity or family ties, not actual years living in a particular place). That compromise would boost the effective populations of the rural counties and may prevent them from having to lose seats.

(NOTE: The Census was widely publicized in advance and many migrants did return to their home counties to be registered there. Others, especially those who were born in Monrovia, stayed to be registered where they have always lived. END NOTE.) Other Legislators present agreed the compromise idea might soften the stalemate and allow the Legislature to move forward on naming a threshold, but acknowledged that it would raise other serious questions about national identity. The Ambassador said that the citizens deserve to be represented

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where they live and democracy depends on the Legislature settling this issue soon.

¶6. (C) COMMENT: The threshold debate is highly sensitive, especially for the members of the leadership who represent less-populated counties. It is unlikely that the number will be finalized in January or even in the first quarter of 2009.

Since NEC's redistricting process and subsequent voter registration drive cannot begin without a threshold, the odds of NEC being able to conduct a separate constitutional referendum before the 2011 standard election are looking increasingly slim. If the threshold is finalized before summer, however, and if the Legislature refrains from making the redistricting process overly political, it will still be possible for the NEC to hold the 2011 elections on time and possibly combine the constitutional referendum questions on the same ballot. If the threshold question is delayed beyond mid-2009 or the redistricting process gets contentious, then the timing of the 2011 standard election could be in jeopardy, even if all the constitutional referenda are postponed.

THOMAS-GREENFIELD